

APPLICANT(S): BURR, Jeremy
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Office Action and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt reconsideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-28 are pending in the application. Claims 1-5, 7, 9, 13, 14, 17, 18, 20, 24, 25 and 28 have been amended.

Claim 6 has been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in this claim to file divisional and/or continuation patent applications.

Applicant respectfully asserts that the amendments to the claims and specification add no new matter.

Remarks to the Specification

Applicant has amended the Specification in response to the Office Action request to update the status of the related applications mentioned in the application.

The amendments to the specification are editorial in nature and do not introduce new matter.

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CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

The Office Action rejected claims 1-14 and 16-28 under 35 U.S.C. § 102(b), as being anticipated by Shah (WO 01/50680). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Applicant respectfully asserts that Shah does not teach or suggest the limitations of independent claims 1, 7 and 18. Specifically, for example, Shah does not teach a mobile device and a method for "establishing a sub-network of a mobile ad-hoc network of at least first and second mobile devices having a common software application", as recited in amended independent claims 1, 7 and 18.

Accordingly, Applicant respectfully asserts that a *prima facie* case of anticipation of amended independent claims 1, 7 and 18 by Shah cannot be established, and thus amended independent claims 1, 7 and 18 are allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of independent claims 1, 7 and 18. Furthermore, Applicant respectfully submit that the distinguishing features of claims 1, 7 and 18 would not have been obvious to a person skilled in the art at the time the invention was made in view of Shah alone or in combination with any other prior art references on record; therefore, amended independent claims 1, 7 and 18 are patentable over the prior art references on record.

Applicant notes that claims 2-5, 8-17 and 19-28 depend from patentable base claims 1, 7 and 18 respectively. In this regard, in addition to any independent bases for patentability, Applicant respectfully submit that claims 2-5, 8-17 and 19-28 are patentable over the cited reference(s) by virtue of at least such dependency on patentable base claims 1, 7 and 18. Accordingly, Applicant respectfully request that the §102 rejection of claims 1-5, 7-14 and 16-28 be withdrawn.

35 U.S.C. § 103 Rejections

The Office Action rejected claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Shah (WO 01/50680) and in view of Ricciulli (US Patent 6,473,405). Applicant notes that claim 15 depends indirectly from patentable amended base claim 7. In this regard, in

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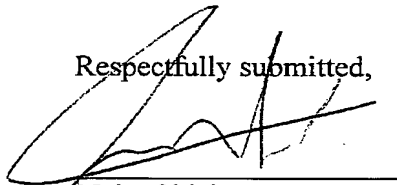
addition to any independent bases for patentability, Applicant respectfully submit that claim 15 is patentable over the cited reference(s) by virtue of at least such dependency on patentable amended base claim 7. Accordingly, Applicant respectfully requests that the rejection of claim 15 be withdrawn.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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